

108TH CONGRESS  
1ST SESSION

# S. 1301

To amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 19, 2003

Mr. DEWINE (for himself and Mr. SCHUMER) introduced the following bill;  
which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Video Voyeurism Pre-  
5 vention Act of 2003”.

6 **SEC. 2. PROHIBITION OF VIDEO VOYEURISM.**

7 (a) IN GENERAL.—Title 18, United States Code, is  
8 amended by inserting after chapter 87 the following new  
9 chapter:

**“CHAPTER 88—PRIVACY**

“Sec.

“1801. Video voyeurism.

**2 “§ 1801. Video voyeurism**

3 “(a) Whoever, in the special maritime and territorial  
4 jurisdiction of the United States, having the intent to cap-  
5 ture an improper image of an individual, knowingly does  
6 so under circumstances violating the privacy of that indi-  
7 vidual, shall be fined under this title or imprisoned not  
8 more than one year, or both.

9 “(b) In this section—

10 “(1) the term ‘captures’, with respect to an  
11 image, means videotapes, photographs, films, or  
12 records by any electronic means;

13 “(2) the term ‘improper image’, with respect to  
14 an individual, means an image, captured without the  
15 consent of that individual, of the naked or undergar-  
16 ment clad genitals, pubic area, buttocks, or female  
17 breast of that individual; and

18 “(3) the term ‘under circumstances violating  
19 the privacy of that individual’ means under cir-  
20 cumstances in which the individual exhibits an ex-  
21 pectation that the improper image would not be  
22 made, in a situation in which a reasonable person  
23 would be justified in that expectation.”.

1       (b) AMENDMENT TO PART ANALYSIS.—The table of  
 2 chapters at the beginning of part I of title 18, United  
 3 States Code, is amended by inserting after the item relat-  
 4 ing to chapter 87 the following new item:

**“88. Privacy ..... 1801”.**

